

IN THE MATTER OF THE	*	BEFORE THE ALCOHOLIC
APPLICATION OF KHONGKHA	*	
BUAKHUM AND NUTCHANAT	*	BEVERAGE HEARING BOARD
CHANNIWET BUAKHUM ON BEHALF	*	
OF EATTINI THAI, LLC, t/a EATTINI	*	
THAI KITCHEN, FOR A NEW CLASS B	*	FOR
BEER, WINE AND LIQUOR 7-DAY	*	
ON-SALE LICENSE	*	HOWARD COUNTY, MARYLAND
	*	
	*	Case No.: 16-57
	*	

DECISION AND ORDER

The Board of License Commissioners for Howard County, Maryland (the “Liquor Board”), pursuant to Rule 1.02(A) of the Liquor Board Rules and Regulations, has delegated the authority to hear and decide cases to the Alcoholic Beverage Hearing Board for Howard County, Maryland (the “Hearing Board”).

On November 15, 2016, the Hearing Board heard the application of Khongkha Buakhum and Nuchanat Channiwet Buakhum (the “Applicants”), on behalf of Eattini Thai, LLC, t/a Eattini Thai Kitchen (“Eattini Thai, LLC”) , for a new Class B Beer, Wine, and Liquor, 7-day on-sale license for a 2,013 square foot restaurant located at 10045 Baltimore National Pike, Suite A-9, Ellicott City, Maryland 21042. The hearing was properly advertised pursuant to the Alcoholic Beverages Article of the Annotated Code of Maryland. The Applicants were represented by Thomas M. Meachum, Esquire. There were no protestants who appeared in opposition to the application.

All the documents on file were incorporated into the record by reference. These include the following: an email dated September 29, 2016, from the attorney for the

Applicants including additional information on the Applicants, and the Certificate of Naturalization for Nuchanat Channiwet Buakhum; a letter dated August 9, 2016, from the attorney for the Applicants enclosing the application; a copy of the floor plan; copies of the background investigation questionnaires for the Applicants; copies of the Maryland Motor Vehicle driving records for the Applicants; a copy of the Certificate of Naturalization for Khongkha Buakhum; a copy of the permanent resident card for Nuchanat Channiwet; a copy of the Articles of Organization of Eattini Thai, LLC; a letter from the Maryland State Department of Assessment and Taxation dated June 8, 2016, confirming the acceptance of Eattini Thai, LLC; a memorandum dated October 14, 2016, from the Liquor Board Administrator to the Alcohol Beverage Inspector, the Department of Inspections, Licenses, and Permits, the Bureau of Environmental Health, the Department of Planning and Zoning, and the Office of the Fire Marshal; the background investigations of the Applicants by the Alcohol Beverage Inspector dated November 10, 2016; a memorandum dated October 27, 2016, from the Department of Planning and Zoning; a memorandum dated November 10, 2016, from the Bureau of Environmental Health; a letter dated October 17, 2016, from the Office of the Fire Marshal; a letter dated October 14, to the Department of Finance; a letter from the Department of Finance; a letter dated October 14, 2016, to the Comptroller of the Treasury; a fax transmission dated October 14, 2016, from the Liquor Board Administrator to the attorney for the Applicants, enclosing a letter dated October 14, 2016, advising notification of the hearing date, and enclosing the required advertisement; and an e-mail dated November 2, 2016, from the Alcoholic Beverage Inspector stating the premises had been posted.

SUMMARY OF TESTIMONY

Khongkha Buakhum, Member and 10% shareholder for Eattini Thai, LLC, t/a Eattini Thai Kitchen, was sworn and testified that he has lived in Howard County for more than two years, is a registered voter, and is alcohol awareness certified. Mr. Buakhum testified that he has two years of experience as a sushi chef, but has never held a liquor license. Mr. Buakhum testified that he has a full-time job, but will be at the restaurant 20 to 30 hours per week, to assist in the evenings and on weekends.

Mr. Buakhum testified that this operation is a Thai Restaurant. Mr. Buakhum testified that their hours of operation will be 11:30 A.M. to 9:30 P.M. They will have five kitchen employees, and five servers. Mr. Buakhum testified that they will have a bar. Mr. Buakhum testified that he hopes to open in December 2016.

Nutchanat Buakhum, Member and 80% shareholder of Eattini Thai, LLC, t/a Eattini Thai Kitchen, was sworn and testified that she became a naturalized citizen of the United States two months ago. Ms. Buakhum testified that she is alcohol awareness certified, and will spend approximately 70 hours per week at the restaurant. Ms. Buakhum testified that she will be the chef and manager at the restaurant. Ms. Buakhum testified that she is familiar with the rules and regulations governing the sale of alcoholic beverages, and that she will abide by them.

The following Exhibits were entered into the record:

Exhibit #1 – Menu

Exhibit #2 – ServSafe Alcohol Awareness Certification for Khongkha Buakhum

Exhibit #3 – ServSafe Alcohol Awareness Certification for Nutchanat Buakhum

Pursuant to Rule 6.13 of the Liquor Board Rules and Regulations, the Applicants waived thier right to request the Liquor Board to hear the case.

Based on the evidence presented at the hearing, the Alcoholic Beverage Hearing Board makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The Hearing Board finds that Khongkha Buakhum and Nuchanat Channiwet Buakhum on behalf of Eattini Thai, LLC, t/a Eattini Thai Kitchen, have applied for a new Class B Beer, Wine, and Liquor, 7-day on-sale license for a 2,013 square foot restaurant located at 10045 Baltimore National Pike, Suite A-9, Ellicott City, Maryland 21042.

2. The Hearing Board finds that the Applicants are fit and proper persons to hold an alcoholic beverage license.

3. The Hearing Board finds that Khongkha Buakhum been a Howard County resident for more than two years, is a registered voter, and a member and 10% shareholder of Eattini Thai, LLC, t/a Eattini Thai Kitchen.

4. The Hearing Board finds that the granting of the application is necessary for the accommodation of the public.

5. The Hearing Board finds that the granting of this application will not unduly disturb the peace and safety of the residents of the neighborhood.

CONCLUSIONS OF LAW

1. The Hearing Board concludes that Khongkha Buakhum and Nuchanat Channiwet Buakhum on behalf of Eattini Thai, LLC, t/a Eattini Thai Kitchen have applied for a new Class B Beer, Wine, and Liquor, 7-day on-sale license for a 2,013 square foot restaurant located at 10045 Baltimore National Pike, Suite A-9, Ellicott City, Maryland 21042.

2. The Hearing Board concludes that the Applicants are fit and proper persons to hold an alcoholic beverage license.

3. The Hearing Board concludes that Khongkha Buakhum meets the requirements of Rules 1.09(T), 1.09(U), 2.06, and 2.10 of the Liquor Board Rules and Regulations concerning resident agent qualifications.

4. The Hearing Board concludes that the granting of the application is necessary for the accommodation of the public.

5. The Hearing Board concludes that the granting of the application would not unduly disturb the peace and safety of the neighborhood.


ORDER

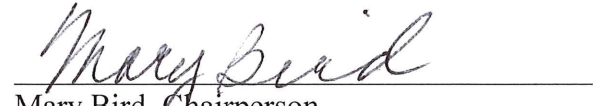
For the foregoing reasons, it is this 2 day of December, 2016, by the Alcoholic Beverage Hearing Board of Howard County **ORDERED** that the application of Khongkha Buakhum and Nuchanat Channiwet Buakhum on behalf of Eattini Thai, LLC, t/a Eattini Thai Kitchen, for a new Class B Beer, Wine, and Liquor, 7-day on-sale license for a 2,013 square foot restaurant located at 10045 Baltimore National Pike, Suite A-9, Ellicott City, Maryland 21042, be and the same is hereby **GRANTED**, subject to the following conditions:

- (a) That the Applicants comply with all State and County Rules and Regulations; and
- (b) Failure to comply with these conditions and obtain the license by April 30, 2017, shall render this Proposed Decision and Order null and void.

ATTEST:

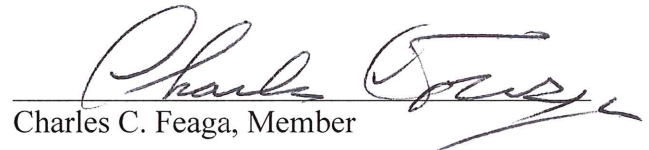
ALCOHOLIC BEVERAGE HEARING
BOARD OF HOWARD COUNTY,
MARYLAND


Denise E. King
Administrator



Mary Bird, Chairperson


Heather Gaetano, Vice-Chairperson

REVIEWED BY HOWARD COUNTY
OFFICE OF LAW
GARY W. KUC
COUNTY SOLICITOR


Charles C. Feaga, Member

ABSENT AT TIME OF SIGNING
Gene Ryan, Member


Lewis Taylor, Esquire
Assistant County Solicitor


Charley C. Sung, Member